



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Joseph Allen William Cruickshank 3619101

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 3:19-CV-370
(Number to be assigned by Court)

Aaron Henson

(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No X

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: Western Regional Jail One O'Hanlon Place
Barboursville wv. 25504

A. Is there a prisoner grievance procedure in this institution?

Yes ~~X~~ No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes X No _____

C. If you answer is YES:

1. What steps did you take? Wrote a sworn statement, ~~on~~
spoke to shift supervisor, and filed grievance on Kiosk.

2. What was the result? Took pictures and was told it will be investigated.

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Joseph Allen William Cruickshank 3619101

Address: One O'Hanlon Place Barboursville WV 25504

B. Additional Plaintiff(s) and Address(es): (Legal Power of Attorney)

Donna Shue 8760 Heizer Creek Rd. Paca WV 25159

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Aaron Henson
 is employed as: correctional officer
 at Western Regional Jail (One O'Hanlon Place Barboursville WV 25504)

D. Additional defendants: _____

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Approximately 6:10pm 27 April 2019 c/o Henson came to section
AZ, where I'm housed, with a nurse to do blood pressure checks.
At this same time Corporal Graham was serving dinner chow
and stated he was out of juice, that he would continue feeding
us when he got more juice. I asked how long it would take
because I hadn't received my dinner yet. C/o Henson replied for
Corporal Graham by saying "Shut the hell up". I asked
c/o Henson why I was being told this. c/o Henson then replied

IV. Statement of Claim (continued):

"Because I fucked your Mom", closed the section door and left. Approx. 6:28 pm 27 April 2019 c/o Henson returned to the section (A2) and asked for an inmate who's name I didn't hear. When I asked c/o Henson who he was looking for he approached me, as I was eating my dinner chow, and yelled "Look Down". As I grabbed my dinner tray and started walking to my assigned cell, c/o Henson rammed me with his body, nearly knocking me over. Corporal Graham entered the section at this time. My assigned cell (cell 1 section A2) is on the top floor. As I stepped onto the first few stairs (See Reverse side of this page)

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I want the court to have the responsible parties to provide me with \$50,000 compensation/restitution for the trauma I have suffered and the effects this horrifying experience of assault will ~~continue~~ continue to have on my mental well being.

Statement of Claim (continued):

C/O Henson rammed me with his body again, assaulting me. This made me fall onto the stairs, painfully. He then (C/O Henson) yelled at me saying "I said go to your cell, get up and move". I ~~was~~ said "Stop pushing me down onto the stairs with your body, it hurts!". Corporal Graham stood there silent. As I got up from the fall, C/O Henson assaulted me again, harder still, sending me sprawling onto the stairs extremely painfully and sending my dinner, along with my commissary purchased radio, tumbling down the stairs. C/O Henson then laughed and said "I said go to your cell now get up". I said "Stop assaulting me, I'm going to my cell" and "Corporal why are you letting him assault me" to which Corporal Graham replied "Just get up and go to your cell". As I got up C/O Henson assaulted me yet again in the same fashion, sending me tumbling to the concrete stairs resulting in a very painful laceration and blunt force trauma to my left knee area. I got up and ran to my cell, fearfully, scared to turn my back to C/O Henson. The whole agonizing experience has caused my anxiety and or PTSD from combat deployment to worsen, and caused me to have recurring nightmares; Along with creating fear of correction officers that really flares up when I'm in close proximity of one, I have been suffering with the trauma to my knee and utter embarrassment. I feel the things will follow and effect me for life. These events are on video recording.

V. Relief (continued)):

See previous page.

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____ No X

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: I do not have the funds to
hire a lawyer

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____ No X

If so, state the lawyer's name and address:

Signed this 7th day of May, 2019.

L A Ck

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07 May 2019
(Date)

L A Ck
Signature of Movant/Plaintiff

Signature of Attorney
(if any)

Joseph Crivick
One O'Hanlon Place
Barboursville, WV 25504

Clerk, United States District Court
845 Fifth Avenue, Room 101
Huntington, WV 25701

This person is an inmate
at Western Regional Jail

Charleson P&DC 253
THU 09 MAY 2019 PM

